

AARON D. FORD
 Attorney General
 VICTORIA C. COREY (Bar No. 16364)
 Deputy Attorney General
 State of Nevada
 Office of the Attorney General
 1 State of Nevada Way, Ste. 100
 Las Vegas, Nevada 89119
 (702) 486-9245 (phone)
 (702) 486-3768 (fax)
 Email: vcorey@ag.nv.gov

Attorneys for Defendants
 Alfonso Alvarez, Paul Araujo, Jason Arrey,
 Jay Barth, Gregory Bryan, Jaymie Cabrera,
 Marie Cervas, Dante Famy, Javier Garcia,
 Robin Hennequin, William Kululoia, Dontril Livingston,
 Malynda Lowery, Danyele Madsen, Rio Manalang,
 Francis Moka, Jennifer Nash, Ronald Oliver,
 Dean Ontiveros, Nicholas Parson, Georges Pele-Taino,
 Tawyna Perry, Kristi Roberson, Renan Saintpreux,
 James Scally, Ernesto Torres, Marc Trotter,
 Michael Val, Rodolfo Valle, and Julie Williams

UNITED STATES DISTRICT COURT
DISTRICT OF NEVADA

MARK PICOZZI,

 Plaintiff,

 v.
 STATE OF NEVADA, *et al.*,

 Defendants.

Case No. 2:22-cv-01011-ART-EJY

STIPULATION AND ~~PROPOSED~~ ORDER
TO EXTEND THE TIME FOR
DISCOVERY AND DISPOSITIVE
MOTIONS
[FIRST REQUEST]

Plaintiff Mark Picozzi, and Defendants, by and through counsel, Aaron D. Ford, Nevada Attorney General, and Victoria C. Corey, Deputy Attorney General, of the State of Nevada, Office of the Attorney General, hereby stipulate and agree to extend the time for discovery and dispositive motions. There is good cause for this Court to grant an extension in this case. LR 26-3. This is the parties' first stipulated request to extend deadlines.

///

///

MEMORANDUM OF POINTS AND AUTHORITIES

I. BACKGROUND AND RELEVANT PROCEDURAL HISTORY

On April 15, 2024, this Court issued an order regarding discovery and dispositive motion deadlines. ECF No. 213. Since then, the parties have been participating actively in the discovery process. To that extent, Plaintiff has requested various and numerous emails from multiple Defendants. This request produced thousands of pages, which undersigned counsel has to go through herself, to redact as necessary to prevent disclosing sensitive information pertaining to other inmates, or information that would otherwise be a safety and security concern to the institution, the public, or offenders. The parties have discussed this and are in agreement that this will take time to do. Additionally, undersigned counsel will be periodically out of office over the next few months for medical purposes. Furthermore, Plaintiff requires additional time to schedule and take depositions of some Defendants, as well as propound discovery upon Defendant Jacques Graham. The parties have been in constant communication regarding this, and have stipulated to an extension for discovery and dispositive motions, to allow undersigned counsel enough time to review all shift logs and redact information as necessary, as well as allow undersigned counsel leniency for the medical leave that will have to be taken over the next few months.

II. STATEMENT OF GOOD CAUSE

To demonstrate good cause, the parties must show “that, even in the exercise of due diligence, [the parties were] unable to meet the timetable set forth in the order.” *Cruz v. City of Anaheim*, CV1003997MMMJEMX, 2011 WL 13214312, at *2 (C.D. Cal. Dec. 19, 2011) (citing *Zivkovic v. Southern California Edison Co.*, 302 F.3d 1080, 1087 (9th Cir. 2002); *Johnson v. Mammoth Recreations, Inc.*, 975 F.2d 604, 609 (9th Cir. 1992)). Prejudice to the opposing party is a factor in determining good cause, though lack of prejudice is “not a prerequisite.” *Id.*

The parties in this matter are working diligently and cohesively with each other to exchange all relevant information pertaining to this matter. As undersigned counsel herself, has to go through all of the results that yielded from Plaintiff’s request for shift logs and redact sensitive information, additional time is needed. Additionally, undersigned counsel will periodically be out of office over the next few months for medical purposes, and will require additional time to complete all discovery requests in this matter. Furthermore, Plaintiff is planning to conduct depositions in this matter, as well as send discovery

requests to Defendant Jacques Graham. The parties continue to have great communication, and agree that an extension of one-hundred and eighty (180) days is necessary to finish discovery in this matter.

III. ~~PROPOSED~~ SCHEDULE FOR COMPLETING ALL REMAINING DISCOVERY AND FILING OF DISPOSITIVE MOTIONS

The Parties propose the following schedule for completion of all remaining discovery and the filing of any dispositive motions:

- The deadline for completion of discovery will be extended to **April 14, 2025**.
- The deadline for amendment of pleadings will be extended to **January 13, 2025**.
- The deadline for expert disclosures will be extended to **February 11, 2025**, and the disclosures of rebuttal experts will be extended to **March 16, 2025**.
- The deadline to file any dispositive motions will be extended to **May 19, 2025**.
- The deadline to file a Joint Pre-Trial order will be extended until **June 16, 2025**, or, if dispositive motions are filed, until thirty (30) days after the entry of any order on the dispositive motions.

IV. CONCLUSION

Based on the foregoing, good cause exists, and the parties respectfully request that this Court extend the deadlines as outlined above.

DATED this 26th day of August, 2024.

AARON D. FORD
Attorney General

/s/ Victoria C. Corey
VICTORIA C. COREY (Bar No. 16364)
Deputy Attorney General

Attorneys for Defendants

DATED this 27th day of August, 2024.

Mark Picozzi
MARK PICOZZI #1163673

Plaintiff, Pro Se

ORDER

IT IS SO ORDERED.

Raymond J. Zouchak
UNITED STATES MAGISTRATE JUDGE

Date: August 29, 2024